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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,630	01/31/2006	Noriyuki Sakoh	277513US6PCT	7218
22850 7590 05/10/2010 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
JACOB, AJITH				
ART UNIT		PAPER NUMBER		
2161				
MAIL DATE		DELIVERY MODE		
05/10/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte*: NORIYUKI SAKOH and TAKESHI IWATSU

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Appeal 2010-006992  
Application No. 10/566,630  
Technology Center 2100

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Mailed: May 10, 2010

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Before MARIA T. VIGNONE, *Supervisory Trial Clerk*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on May 3, 2010. A Docketing Notice was mailed and Appeal No. 2010-006992 was assigned on May 4, 2010. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on March 5, 2010. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR CFR § 41.43(a)(1) and MPEP § 1208, part II.

Accordingly, it is ORDERED that the application is returned to the Examiner:

- (1) to consider the Reply Brief filed March 5, 2010 as indicated above; and
- (2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

MTV/bim

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